

**RESTRICTED**

001 3 1949

Mr. Raymond P. Whearty  
Chairman, Interdepartmental Committee  
on Internal Security  
2107 Department of Justice  
Washington 25, D. C.

Dear Mr. Whearty:

In the report of the Attorney General, made on 22 September 1949 to the Judicial Conference of the United States, Mr. McGrath directed the Conference's attention to the problem of disclosure of national security documents or information during the course of criminal trials. He also discussed the problem of cases where the information is such that it cannot be disclosed even to the court, the attorneys or the jury, and cases of this type where the Department of Justice has been compelled to refrain from prosecuting the offenders because of security implications. The Attorney General stated that the problem was important not only to the Department of Justice, but also the Departments of State and Defense and the AEC, among others. He further stated that because of this Government-wide interest the problem has been brought to the attention of the Interdepartmental Committee on Internal Security, operating under the National Security Council.

As no agency may be more vitally affected by these problems than the CIA, it would appear that we should be represented in these discussions in accordance with the provision of the ICIS *Charter which provides for the* members in the consideration of matters which affect such agencies.

*inclusion of this non-ICIS*

If in fact the ICIS is actively considering this subject, this Agency would appreciate having a representative of CIA included in the Committee's working deliberations.

Sincerely yours,

*ED*

Captain, USN  
Executive

25X1

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Note: Affirmative reply received 12 October 1949. Original sent to General Counsel and I&S.

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ER-0-6674

*WTS sent*

Mr. Raymond P. Shear  
Chairman, Interdepartmental  
Committee on Internal Security  
2107 Department of Justice  
Washington 25, D. C.

Dear Mr. Shear:

I understand that on the 22nd of September 1949, the Attorney General, Mr. McGrath, addressed the Federal Conference of Senior Judges and discussed the problem of admission of classified documents in public trials, particularly where the documents might impair national security. The Attorney General stated that not only the Justice Department but also the Departments of State and Defense and the AEC were concerned about this situation, and ICIS was considering the problem.

As no agency is more vitally affected by this matter than CIA, it would appear that we should be represented in these discussions in accordance with the ICIS charter.

If, in fact, the ICIS is actively considering this subject, I should appreciate having a representative of CIA included in your committee's working deliberations.

Sincerely yours,

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C. H. MILLAMONT  
Rear Admiral, USN  
Director of Central  
Intelligence

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